

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

KATHRYN KNOWLTON, et al.,

Plaintiffs,

v.

Case No. 2020-CV-01660

CITY OF WAUWATOSA, et al.,

Defendants.

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FOURTH AMENDED
COMPLAINT PURSUANT TO FED. R. CIV. PROC. 12(B)(6)**

Defendants, City of Wauwatosa, Dennis McBride, Barry Weber, Maria Arbiter, Jeffrey Farina, Joseph Lewandowski, Daniel Mitchell, George Opelt, Robert Piehl, Dominick Ratkowski, Russell Richardson, Joseph Roy, George Schimmel, James Short, Brian Skornia, Luke Vetter, Timothy Warren, Shane Wrucke, and Kelly Zielinski, by their attorneys, Wirth + Baynard, hereby move the Court to dismiss Plaintiffs' Fourth Amended Complaint against them, with prejudice, pursuant to Fed. R. Civ. P. 12(b)(6) based on Plaintiffs' failure to state a claim upon which relief can be granted.

The grounds of this Motion are more fully set forth in the accompanying Brief in Support of Defendants' Motion, which is incorporated by reference as if fully set forth herein. This Motion also is made upon the pleadings and proceedings herein.

WHEREFORE, Defendants request that the Plaintiffs' Fourth Amended Complaint be dismissed in its entirety, with prejudice, and with costs and fees to the Defendants.

Dated at Wauwatosa, Wisconsin this 18th day of April, 2022.

WIRTH + BAYNARD
Attorneys for Defendants

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